

## EXECUTIVE ORDER 93-25

### ESTABLISHING THE CONSTITUTIONAL DEFENSE COUNCIL

WHEREAS, the Constitution of the United States of America envisions sovereign states and guarantees the states a republican form of government in which decisions are made by the elected representatives of the people; and

WHEREAS, the state and local governments in Arizona are losing their power to better the lives of their citizens; and

WHEREAS, with increasing and alarming frequency important decisions affecting our lives are being made by the federal government in Washington; and

WHEREAS, federal mandates are being imposed on the states without accompanying tax dollars necessary to implement the mandated programs; and

WHEREAS, the impact of federal mandates threatens the fiscal integrity of our State as well as our right of self determination;

NOW, THEREFORE, I, Fife Symington, Governor of the State of Arizona, do hereby create the Constitutional Defense Council and delineate herein its structure and duties.

1. The Council shall consist of the Governor of the State of Arizona, the Speaker of the Arizona House of Representatives, the President of the Arizona State Senate and the Arizona Attorney General.
2. Meetings of the Council may be called by any member and decisions shall be based upon a majority vote of the members.
3. The Council shall:
  - a. Seek a legislative appropriation of \$1,000,000 to fund the Council.
  - b. Hire legal counsel with expertise in constitutional law and the specific area under consideration for legal action.
  - c. Utilize staff and resources within state agencies as designated by the Governor.
  - d. Except as hereafter may be provided by the Governor, the State Department of Administration shall serve as administrative agent for the Council and the Governor's Office of Communications shall be responsible for public information and general press responsibilities.
4. The functions and purpose of the Council shall be:
  - a. Examine the constitutionality of unfunded federal mandates and mandates in general.
  - b. Challenge federal court rulings that hinder the management of Arizona's prison system and place undue financial hardship on Arizona's taxpayers.
  - c. Examine the authority of the Environmental Protection Agency and Congress to mandate air quality standards and penalties.

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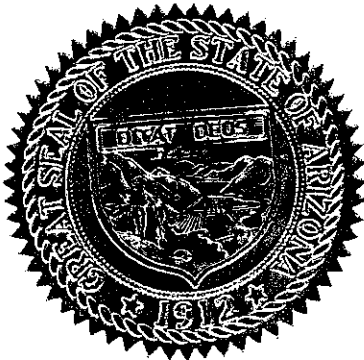
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- d. Consider advisability of legal action against the federal government challenging laws or regulations which reduce or negate water rights or the rights of owners of private property.
  - e. Evaluate and consider legal action on conflicting federal regulations or policies in land management on federal lands.
  - f. Oppose federal intervention which would damage Arizona's mining, timber and ranching industries
  - g. Engage in such other activities as may be consistent with the purpose of the Council
5. This Order shall become effective immediately

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona



*F. P. S.*

GOVERNOR

DONE at the Capitol in Phoenix this twenty-fourth day of November in the Year of Our Lord One Thousand Nine Hundred and Ninety-Three and of the Independence of the United States of America the Two Hundred and Seventeenth

ATTEST:

*W. J. Flaherty*  
Secretary of State